

they represented and suggested that the article would be efficacious in the reduction of weight and in the treatment of rheumatism and arthritis, whereas the article would not be efficacious for such purposes. Further misbranding, Section 502 (b), the label on a portion of the article failed to bear a statement of the quantity of the contents.

DISPOSITION: Between August 12, 1944, and September 26, 1945. No claimants having appeared, judgments of condemnation were entered and the products were ordered destroyed.

1593. Misbranding of Presto for Blackheads. U. S. v. 108 Dozen Packages of Presto for Blackheads. Default decree of condemnation and destruction. (F. D. C. No. 9847. Sample No. 21698-F.)

LIBEL FILED: April 22, 1943, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 25, 1943, by the McJohn Cosmetic Co., from Hollywood, Calif.

PRODUCT: 108 dozen packages of *Presto for Blackheads* at McKeesport, Pa. Examination showed that the product consisted of a stick composed essentially of a mixture of ground pumice and titanium dioxide, incorporated in a hydrated waxy base.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements which appeared on the labeling were false and misleading as applied to the product, which was not effective in removing blackheads and in keeping the pores of the skin clean: "Presto for Blackheads Quick Aid for Blackheads * * * A clean skin is the foundation for a beautiful complexion; don't allow your complexion to be marred by unsightly Blackheads. Never squeeze or pinch Blackheads; Squeezing injures the skin and encourages large pores and Blackheads. Use Presto Stick and Eliminate Squeezing. * * * In cases of stubborn Blackheads use Presto Stick once daily for several days. Thereafter use from time to time, as required, to keep pores clean."

The article was also alleged to be misbranded as reported in notices of judgment on cosmetics, No. 124.

DISPOSITION: June 8, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1594. Misbranding of Astring-O-Sol. U. S. v. 90 Dozen Bottles and 114 Dozen Bottles of Astring-O-Sol. Default decree of destruction. (F. D. C. No. 6182. Sample No. 73243-E.)

LIBEL FILED: On or about November 13, 1941; amended March 19, 1942, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 31, 1941, by the Nyal Co., from Detroit, Mich.

PRODUCT: Astring-O-Sol, 90 dozen 8-ounce bottles and 114 dozen 4-ounce bottles at Kansas City, Mo. Analysis showed that the product consisted essentially of 68 percent alcohol, 4.6 percent methyl salicylate, 0.38 percent zinc chloride, and water. Bacterological examinations showed that in a concentration of 1 part of the product to 8 parts of water it was neither an antiseptic nor a germicide.

LABEL, IN PART: (Carton and bottle) "Astring-O-Sol * * * Concentrated Antiseptic Germicide An Astringent Mouth Wash Throat Gargle Economical To Use Refreshes Morning Mouth For Germicidal and Other Uses"; (carton) "a pleasant, refreshing Mouth Wash, Throat Gargle, Dentifrice, Gum Massage * * * This 4 oz. bottle makes 6 full pints of refreshing mouth wash and throat gargle"; (bottle) "Antiseptic Germicide Concentrated Directions As a Refreshing Mouth Wash, Gargle and for Offensive Breath Add Several Dashes of Ostring-O-Sol to One-Quarter Glass of water, but use enough to give a pleasant tingling sensation to the mouth."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article was false and misleading because it created the impression that the article, when used in the dilutions mentioned in the labeling as a mouth wash and throat gargle, would be antiseptic and germicidal, whereas in such dilutions and in dilutions of 1 part of the preparation to 8 parts water, a concentration greater than that recommended for mouth wash and throat gargle use, the article was neither antiseptic nor germicidal.

Further misbranding, Section 502 (i) (1), the container of the article was so made, formed, and filled as to be misleading since the bottle occupied less than 50 percent of the volume of the carton.